

TOWN CLERK 2011 FINANCIAL TRANSACTIONS

FEES COLLECTED	
Vital record copies, bylaws, maps, etc	\$ 2635.90
Fines, bylaw violations, late fees	5625.00
Business Certificate filings	980.00
Fuel storage tank registrations	20.00
Raffle permit	20.00
Dog Licenses	10,773.00
Kennel Licenses	795.00
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TOTAL FEES COLLECTED	\$ 20,828.90

ANNUAL TOWN MEETING MAY 2, 2011

Pursuant to the Selectmen's warrant of March 22, 2011, posted by the Constable on April 21, 2011, the annual town meeting was opened at 7:03 p.m. in Hugh Mill Auditorium at Hale School by Moderator David Walrath.

The meeting rose for an invocation delivered by Mr. Walrath, who then led the gathering in the *Pledge of Allegiance to the Flag*. Deputy Moderator Elizabeth Painter and Assistant Moderator Gary Horowitz were unanimously approved. Town officials were introduced: Selectmen, Town Clerk, Assistant Town Clerk, Town Counsel, Town Administrator, Selectmen's and Administrator's Administrative Assistant, Finance Committee and others. Several non-voters who may be heard during the course of the meeting were approved.

Moderator Walrath recognized the recent passing of Jean Lynch who was a member of the Capital Planning Committee and a former Selectman. Also recognized was the late Lisa Scesny, a Council on Aging van driver. Several persons who have left public service or who will not stand for re-election were honored.

On motion of Selectman Charles Kern, it was voted unanimously that the reading of the warrant and return of the constable thereon be waived but made a part of the record of this meeting, and that the Moderator be permitted to refer to each article by subject matter instead of reading each article in its entirety.

ARTICLE 1. Town Officers Not Elected by Ballot

On motion of Selectman James Salvie, it was voted unanimously that the members of the Board of Selectmen be elected to serve as Field Drivers for the ensuing year.

ARTICLE 2. Reports of the Selectmen and Other Officers and Committees

On motion of Selectman Laura Spear, it was voted unanimously that the reports of the Selectmen and other Town Officers, Boards, Committees and Commissions be accepted as printed in the 2010 Annual Town Report.

ARTICLE 3. Reports of Special Committees

On motion of Selectman Stephen Dungan, it was voted unanimously that the reports of the special committees be accepted as printed in the 2010 Annual Town Report.

At this point, Finance Committee member Gary Bernklow provided a financial summary. The proposed Fiscal 2012 to be voted upon at this meeting will not require a Proposition 2-1/2 override. No increases in town services or staffing are included. The down trend in local receipts is concerning. Proposed spending is slightly higher than for Fiscal 2011 by about 5%. The School District represents 61% of total expenditures. Debt service for the Center School construction project is reflected in the budget. Over the long term, a continuing revenue decrease is predicted due to current economic conditions.

Ellen Sturgis of the Elementary School Building Committee reported on the Center School construction project. Groundbreaking occurred June 17, 2010. The severe winter conditions caused some delays. The Town's final share of the cost was expected to be \$17.5 million.

ARTICLE 4. Wage and Salary Schedules

On motion of Selectman Thomas Ryan, it was voted to amend Article 11 of the General Bylaws of the Town, Personnel Administration, by deleting from Section 20.h. the existing salary Schedules A, B, C, D and E, and inserting in place thereof new Schedules A, B, C, D, and E, as printed in the warrant.

TOWN OF STOW WAGE & SALARY SCHEDULES *Effective July 1, 2011 (1%)*

SCHEDULE A ANNUAL RATE POSITIONS

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Police Chief	74,216	76,916	80,964	87,709	99,212
Police Lieutenant	67,153	72,220	76,022	79,822	82,357
Supt. of Streets	66,405	70,555	74,708	78,854	83,010
Fire Chief	65,865	68,501	72,454	79,045	85,626
Town Accountant	60,921	64,706	68,518	72,328	76,140
Treasurer-Collector	52,395	55,672	58,947	62,219	65,495
Building Inspector	51,292	54,496	57,701	60,908	64,116
Library Director	48,809	51,860	54,909	57,965	61,012
Town Clerk	43,862	46,467	49,202	51,931	54,667
Cemetery Supt.	36,771	38,976	41,148	43,452	45,754

SCHEDULE B
HOURLY RATE POSITIONS

GROUP A

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Parks & Commons Worker	11.16	12.09	13.12	14.09	15.05
Cemetery Worker	11.16	12.09	13.12	14.09	15.05
Custodian	11.16	12.09	13.12	14.09	15.05

GROUP B

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Asst. Town Clerk	16.43	17.70	19.02	20.60	22.14
Capital Program Comm. Secretary	12.67	13.59	14.62	15.86	17.03

GROUP C

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Board of Appeals Secretary	17.29	18.84	20.31	21.88	23.36
Town Secretary	13.59	14.84	16.00	17.23	18.42
Highway/Tree/ Grounds Worker	13.59	14.84	16.00	17.23	18.42

GROUP D

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Highway/Tree Grounds Driver- Laborer	16.86	17.93	18.98	20.01	21.04

GROUP E

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Highway Dept. Equipment Operator	18.41	19.55	20.69	21.86	22.98
Tree Worker (Moth)	18.41	19.55	20.69	21.86	22.98
Maintenance Person	18.41	19.55	20.69	21.86	22.98

GROUP F

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Highway Dept. Mechanic	19.51	20.64	21.97	23.19	24.37
Crew Chief	20.29	21.48	22.85	24.10	25.36

GROUP G

<u>Position Title</u>	<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Maximum</u>
Asst. Supt. of Streets	23.84	25.35	26.83	28.31	29.80
Highway Dept. Foreman	21.66	23.03	24.36	25.73	27.05

SCHEDULE C
SINGLE RATE POSITIONS PAID ANNUALLY

<u>Position Title</u>	<u>Salary</u>
Registrar of Voters	131.00
Assistant Registrar of Voters	262.00
Animal Control Officer	16,936.00
Animal Inspector	3,515.00
Director of Summerthing	2,630.00
Beach Director	5,668.00
Veterans' Agent	1,818.00
Council on Aging Secretary	400.00

SCHEDULE D
SINGLE RATE POSITIONS PAID HOURLY

<u>Position Title</u>	<u>Hourly Rate</u>
Election Warden	10.02
Election Clerk	10.02
Election Teller	8.87
Election Clerical Assistance	8.87
Lifeguard	11.01
Lifeguard (W.S.I.)	13.01
Beach Checker	8.87
Summerthing Assistant	8.87
Street Lister	9.57
Street Listing Clerk	8.87

Street Numberer	8.87
Per Diem Firefighter (call)	13.91
Apprentice Firefighter (call)	13.48
Firefighter (call)	15.41
Emergency Medical Technician (call)	15.41
Firefighter/EMT (call)	16.11
EMT -w/Defib & Epi Pen (call)	16.83
Firefighter/EMT - w/Defib & Epi Pen (call)	17.52
Officers - Fire or Medical (call)	18.94
Police Officer - part-time	21.54
Police Matron	19.01
Auxiliary Police Officer	14.06
Dispatcher - part-time	17.91

SCHEDULE E
FIRE DEPARTMENT ANNUAL SINGLE RATES

<u>Position Title</u>	<u>Salary</u>
Deputy Fire Chief (call)	950.00
Fire Engineer	824.00
Fire Captain (call)	632.00
Fire Lieutenant (call)	507.00
Fire Medical Officer	380.00
EMS Quartermaster	254.00
EMS Schedule Coordinator	191.00
EMS Assistant Coordinator	317.00
EMS Records Coordinator	380.00

ARTICLE 5. Secret Voting for Nashoba Regional School District Budget

Selectman Charles Kern moved to require that the Nashoba School District budget request article submitted to any Town Meeting shall use a secret form of voting.

The Finance Committee recommended approval.

Discussion ensued. Town Counsel Jonathan Witten advised that an affirmative vote on this article will apply only to this town meeting. His opinion was that it would not bind future town meetings as the article is presented. A General Bylaw amendment could be presented to a future town meeting.

Lewis Halprin, representing the petitioners, noted that the School District is 60% of the total budget, and some feel intimidated voting publicly. Several voters spoke for or against the article. Comment was made that the education budget was being singled out.

When put to a vote, **the motion did not carry.**

ARTICLE 6. General Budget for Fiscal Year 2012

Selectman James Salvie moved that the Town vote to raise and appropriate the sum of \$21,010,888.00, as recommended by the Town Administrator and Selectmen for Items 1 through 75 inclusive, as printed in the warrant under the column entitled "*FY2012 Budget Town Admin/Selectmen Recommended*", each item to be considered a separate appropriation for the purposes designated and the same to be expended only for such purposes.

Moderator Walrath read off each group of line items. Several questions were asked and answered.

When put to a vote, the general budget for FY2012 at \$21,010,888.00, as printed in the warrant, was declared unanimously approved.

General Government

1	Moderator Salary	\$ 38.00
2	Moderator Expenses	45.00
3	Selectmen Administrative Asst. Salary	48,029.00
4	Selectmen Expenses	9,470.00
5	Town Administrator Salary	110,540.00
6	Town Administrator Expenses	500.00
7	Town Building Clerical Wages	13,595.00
8	Finance Committee Wages	3,850.00
9	Finance Committee Expenses	700.00
10	Accountant Salary	47,215.00
11	Accountant Clerk Salary	0.00
12	Accountant Expenses	1,525.00
13	Principal Assessor Salary	63,852.00
14	Assessors' Clerical Wages	62,426.00
15	Assessors' Expenses	8,100.00
16	Treasurer-Collector Salary	62,219.00
17	Treasurer-Collector Clerical Wages	48,529.00
18	Treasurer-Collector Expenses	38,500.00
19	Information Technology Clerical Wages	22,817.00
20	Information Technology Expenses	63,060.00
21	Town Clerk Salary	54,667.00
22	Town Clerk Other Wages	28,546.00
23	Town Clerk Expenses	16,175.00
24	Conservation Commission Clerical Wages	71,361.00
25	Conservation Commission Expenses	4,280.00
26	Planning Board Clerical Wages	110,966.00
27	Planning Board Expenses	4,510.00
28	Board of Appeals Clerical Wages	7,041.00
29	Board of Appeals Expenses	2,890.00
30	Municipal Building & Property Wages	27,787.00
31	Municipal Building & Property Expenses	58,930.00
32	Town Reports Expenses	<u>8,200.00</u>
	General Government Total	\$1,000,363.00

<u>Public Safety</u>	
33 Police Chief Salary	\$ 98,230.00
34 Police & Dispatch Wages	1,094,391.00
35 Police & Dispatch Expenses	95,000.00
36 Fire Chief Salary	79,045.00
37 Fire & EMS Wages	482,568.00
38 Fire & EMS Expenses	86,101.00
39 Building Inspector Salary	64,116.00
40 Building Dept. Clerical Wages	35,784.00
41 Building Dept. Expenses	<u>3,900.00</u>
Public Safety Total	\$2,039,135.00

<u>Public Works and Facilities</u>	
42 Supt. of Streets Salary	\$ 83,010.00
43 Highways & Grounds Wages	455,308.00
44 Highways & Grounds Expenses	112,600.00
45 Snow & Ice Removal Expense	150,000.00
46 Municipal Lighting	13,500.00
47 Gasoline & Diesel Fuel Expense	85,000.00
48 Cemetery Salary & Wages	52,165.00
49 Cemetery Expenses	<u>6,475.00</u>
Public Works and Facilities Total	\$ 958,058.00

<u>Human Services</u>	
50 Sanitary Agent Wages	\$ 17,995.00
51 Health Department Wages	78,252.00
52 Health Department Expenses	6,885.00
53 Council on Aging Executive Director Salary	54,262.00
54 Council on Aging Wages	86,026.00
55 Council on Aging Expenses	12,270.00
56 Veterans' Agent Salary	1,818.00
57 Veterans' Agent Expenses	<u>200.00</u>
Human Services Total	\$ 257,708.00

<u>Culture and Recreation</u>	
58 Library Director Salary	\$ 61,012.00
59 Library Wages	86,077.00
60 Library Expenses	56,513.00
61 Recreation Wages	48,329.00
62 Recreation Expenses	23,550.00
63 Lake Boon Commission Wages	2,745.00
64 Lake Boon Commission Expenses	700.00
65 Historical Commission Expenses	525.00
66 Memorial Day Expenses	950.00
67 Lighting of Clock Expenses	<u>100.00</u>
Culture and Recreation Total	\$ 280,501.00

Town-Wide Expenses

68 Group Insurance	\$ 732,855.00
69 Insurance & Bonds	115,000.00
70 Telephone	<u>28,925.00</u>
Town-Wide Expenses Total	\$ 876,780.00

Education

71 Nashoba Regional School District Assessment	\$13,194,166.00
72 Minuteman Voc-Tech Assessment	<u>746,981.00</u>
Education Total	\$13,941,147.00

Debt Service

73 Principal, Long-Term Debt	\$ 1,017,000.00
74 Interest, Long-Term Debt – Bonds	640,196.00
75 Interest, Temporary Loans – Revenue	<u>0.00</u>
Debt Service Total	\$ 1,657,196.00

TOTAL GENERAL BUDGET.....\$21,010,888.00

On motion of Selectman Laura Spear, it was voted by majority to take Article 41, Preserve the Larsen Apple Storage Barn, out of the order in the warrant and take action on said article as the next order of business after Article 6.

ARTICLE 41. Preserve the Larsen Apple Storage Barn

Janet Stiles moved that the Town vote to preserve and protect the former Larsen Apple Storage Barn, also known as the Stone Building, located on the Center School property and depicted on Assessors' Map U-9, Parcel 44, and by the vote of the citizens of Stow, Massachusetts, protect this historic and irreplaceable town landmark from demolition.

The Selectmen and the Finance Committee were not in favor. The Historical Commission was in support.

Petitioner Dr. Stiles spoke to the article and the history of the structure as an apple storage facility and noted that CPA funds could be voted for restoration to its original condition and preservation. Constance Schwarzkopf read a letter from the Bolton Historical Commission in support of the article. Dorothy Sonnichsen read a letter from the non-profit organization Preservation Massachusetts also in support. Ellen Sturgis of the Elementary School Building Committee pointed out that the Center School construction project is a tight fit on the property, Retention of the structure would require site redesign that could cost an additional \$100,000, not to be reimbursed by the State, and a six-month delay in construction.

At 9:15 p.m. there was a call for the question. When put to a vote, the motion **failed to carry by a margin in excess of two-thirds.**

CONSENT CALENDAR

On motion of Selectman Thomas Ryan, it was voted to take action on Articles 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, as said motions are printed in the Consent Calendar, a copy of which has been provided to the voters at this meeting, without debate on any such articles, and provided that upon the request of any voter at this meeting made before the vote is taken on this motion, an article shall be dropped from the Consent Calendar and shall be acted upon in the ordinary course and order of business at this town meeting.

Article 15 was dropped from the Consent Calendar at the request of a voter. The Finance Committee recommended approval of the articles within the Consent Calendar.

The articles of the Consent Calendar that were not held were voted unanimously as printed in the Consent Calendar.

ARTICLE 7. Reserve Fund

Voted to raise and appropriate the sum of \$70,000 for a Reserve Fund for the fiscal year beginning July 1, 2011.

ARTICLE 8. Audit of Financial Records

Voted to raise and appropriate the sum of \$10,800 for a town financial audit.

ARTICLE 9. Revolving Fund for Inspection Fees

Voted to authorize, upon the recommendation of the Selectmen, a revolving fund pursuant to Massachusetts General Laws Chapter 44, Section 53E-1/2 for FY2012, to which shall be credited all permitting fees received for wire, gas, plumbing and fire alarm permits and for weights and measures sealing, to a limit of \$40,000 for FY2012, to be expended by the Selectmen without further appropriation, for the purpose of payment of fees to the inspectors administering such permits and reimbursements of expenses incurred on behalf of the Town.

ARTICLE 10. Revolving Fund for Advanced Life Support Services

Voted to authorize, upon the recommendation of the Selectmen, the establishment of a revolving fund pursuant to Massachusetts General Laws Chapter 44, Section 53E-1/2 for FY2012, to which shall be credited all fees received for advanced life support services provided by the Town of Stow, to a limit of \$40,000 for FY2012, to be expended by the Fire Department without further appropriation, for the purpose of payment of all costs associated with providing advanced life support ambulance services.

ARTICLE 11. Transfer to Conservation Fund

Voted to appropriate and transfer from the Conservation Land Maintenance Account to the Conservation Fund the sum of \$6,905 to be expended by the Conservation Commission.

ARTICLE 12. Transfer from Wetlands Protection Fund

Voted to appropriate and transfer from the Wetlands Protection Fund the sum of \$1,437.50 as additional appropriation to the Conservation Commission, to be expended by the Conservation Commission in performing its duties under the Wetlands Protection Act.

ARTICLE 13. Update of Property Valuations

Voted to raise and appropriate the sum of \$19,300 to be added to the balance previously appropriated for the purpose of updating property valuations in the Town to full and fair cash value, to be expended by the Assessors.

ARTICLE 14. Town Records Binding and Repair

Voted to raise and appropriate the sum of \$200 to be added to any balance previously appropriated for the purpose of binding and repairing Town records in accordance with Mass. General Laws Chapter 66, Section 9, to be expended by the Town Clerk.

ARTICLE 15. Election Equipment

Removed from Consent Calendar and acted upon separately.

ARTICLE 16. Highway Department

Voted to raise and appropriate the sums of money for Highway Department purposes as set forth in the schedule below:

- | | |
|-----------------------------------|--------------|
| 1. For the Road Machinery Account | \$41,817.00 |
| 2. For repairs on private ways | \$15,000.00. |

ARTICLE 17. Highway Road Construction

Voted to appropriate and borrow the sum of \$211,004 from FY2011 apportionment for construction and/or improvements to Town roads, as requested by the Board of Selectmen, to be reimbursed by the Commonwealth.

ARTICLE 18. Federal Safe Drinking Water Act

Voted to raise and appropriate the sum of \$10,000 to be added to any balance previously appropriated for the purpose of satisfying the compliance requirements of the Federal Safe Drinking Water Act, as amended, in accordance with State regulations, to be expended under the direction of the Board of Health.

ARTICLE 19. Household Hazardous Waste Collection

Voted to raise and appropriate the sum of \$2,500 to be added to any balance remaining from the previous appropriation, to be expended under the direction of the Board of Health for the purpose of providing for household hazardous waste collection.

ARTICLE 20. Public Health Nurse

Voted to raise and appropriate the sum of \$10,400 to be added to any balance remaining from the previous appropriation, to be expended under the direction of the Board of Health for the purpose of providing home care services, public health nursing services and communicable disease follow-up to Stow residents.

ARTICLE 21. Solid Waste Disposal Container

Voted to raise and appropriate the sum of \$1,000 to be added to any balance remaining from the previous appropriation, to be expended under the direction of the Board of Health for the purpose of renting a container and disposing of solid waste which has been dumped on town land and roadsides.

ARTICLE 22. Medical Reserve Corps Expenses

Voted to raise and appropriate the sum of \$2,500 to be expended under the direction of the Board of Health, for the purpose of providing for equipment and operating expenses for the Stow Medical Reserve Corps.

ARTICLE 23. Construction and Maintenance of Water Holes for Firefighting

Voted to raise and appropriate the sum of \$5,000 to be expended under the direction of the Fire Chief for the purpose of constructing and maintaining water holes and hydrants to support firefighting operations.

ARTICLE 24. Stow Cultural Council

Voted to raise and appropriate the sum of \$3,500 to be added to any balance remaining from previous appropriations, to produce cultural activities and programming in Stow, including \$2,000 of these funds to be used to support SpringFest activities.

ARTICLE 25. Planning Board Engineering/Consulting and Master Plan Expenses

Voted to raise and appropriate the sum of \$2,000 to be added to any balance remaining and previously appropriated for this purpose, to be expended by the Planning Board for Planning Board engineering/consulting services and master plan expenses.

ARTICLE 26. Employee Educational Incentive Program

Voted to raise and appropriate the sum of \$90,000 to be expended under the direction of the Town Administrator for funding the Town's employee educational incentive program.

ARTICLE 27. Legal Services

Voted to raise and appropriate the sum of \$25,000 to be added to any balance remaining from any previous appropriation for the purpose of funding the Town's general legal account.

ARTICLE 28. Police Officer and Firefighter Medical Payments

Voted to raise and appropriate the sum of \$1,000 to be added to any balance remaining and previously appropriated in anticipation of possible claims presented to the Town under the provisions of Mass. General Laws Chapter 41, Section 100, for the payment of medical and other allowable expenses incurred by police officers or firefighters injured in the performance of and within the scope of duty.

ARTICLE 29. Weights and Measures Testing

Voted to raise and appropriate the sum of \$1,200 to be added to any balance remaining from a previous appropriation for the purpose of funding the Town's weights and measures testing.

ARTICLE 30. SwiftReach Notification System

Voted to raise and appropriate the sum of \$3,000 to be expended under the direction of the Chief of Police for the purpose of paying for a town-wide telephonic emergency notification system known as SwiftReach Networks.

ARTICLE 31. Lake Boon Water Quality Remediation

Voted to raise and appropriate the sum of \$10,000 to be expended under the direction of the Lake Boon Commission for the purpose of weed control.

ARTICLE 32. Transfer from Overlay Surplus Account to Snow and Ice Account

Voted to appropriate and transfer the sum of \$59,476.29 from the Town's FY2010 Overlay Surplus Account to the FY2011 Snow and Ice Account.

ARTICLE 33. Transfer to the Stabilization Fund

Voted to appropriate and transfer from Free Cash the sum of \$50,000 to be added to the Stabilization Fund.

ARTICLE 34. Veterans' Benefits'

Voted to raise and appropriate the sum of \$4,500 to be added to any balance remaining and previously appropriated for this purpose, to be expended by the Veterans' Services Officer to provide services for Stow veterans.

ARTICLE 35. Community Preservation Expenses

Voted to appropriate from Fiscal Year 2012 Community Preservation Fund Annual Revenues the sum of \$29,000 to be expended for wages and expenses associated with the creation, implementation and maintenance of Community Preservation programs, in accordance with the provision of Massachusetts General Laws Chapter 44B, the Community Preservation Act, including but not limited to office supplies, clerical assistance, property surveys, appraisals, attorney's fees and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2012, in accordance with a budget to be prepared for the Town Administrator.

ARTICLE 36. Community Preservation Reserves

Voted to reserve for later appropriation monies from the Community Preservation Fund Balance collected from both the Community Preservation Act Surcharge and the State Trust Fund Distribution and collected from Fiscal Year 2012 Community Preservation Fund Annual Revenues, for 10-percent allocation to reserve account, in accordance with the provision of Mass. General Laws Chapter 44B, the Community Preservation Act, for the undertaking of Community Preservation projects.

- | | |
|---------------------------------------|----------|
| 1. Preservation of Historic Resources | \$60,000 |
| 2. Preservation of Open Spaces | \$60,000 |
| 3. Affordable Housing | \$60,000 |

Report of Community Preservation Committee re Articles 35 and 36:

The Community Preservation Committee voted on March 7, 2011 to endorse Articles 35 and 36.

=====End of Consent Calendar=====

ARTICLE 15. Election Equipment

On motion of Selectman Thomas Ryan, it was voted unanimously to raise and appropriate the sum of \$6,500.00 to purchase a ballot tabulator, ballot box and supplies, to be expended by the Town Clerk.

ARTICLE 37. Capital Requests

On motion of Selectman Charles Kern, it was voted unanimously to discuss the items of this article individually and vote upon each separately as to the amount to be appropriated for each item, as set forth in separate motions proposed.

ARTICLE 37-1. Town Building Water Treatment System Upgrade

On motion of Selectman Charles Kern, it was voted unanimously to raise and appropriate the sum of \$29,000 for a Town Building water treatment system upgrade.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-2. Cemetery Land Purchase

On motion of Selectman Kern, it was voted in excess of a two-thirds majority, as called by the Moderator, to appropriate and transfer from Free Cash the sum of \$200,000 to purchase land for cemetery expansion.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-3. Fire-Rescue Department Diesel Exhaust System

On motion of Selectman Kern, it was voted unanimously to raise and appropriate the sum of \$50,000 for a diesel exhaust system for the fire house.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-4. Fire-Rescue Thermal Imaging Camera

On motion of Selectman Kern, it was voted unanimously to raise and appropriate the sum of \$9,500 for a thermal imaging camera for firefighting operations.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-5. Fire-Rescue Self-Contained Breathing Apparatus Co-Pay

On motion of Selectman Kern, it was voted unanimously to raise and appropriate the sum of \$6,000 for the co-payment of a Federal grant to upgrade self-contained breathing apparatus for firefighting operations.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-6. Dog Kennel Repairs

On motion of Selectman Kern, it was voted unanimously to raise and appropriate sum of \$15,000 for repairs to the dog kennel at the Highway Barn.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-7. Restoration of Six-Wheel Dump Truck/Sander

On motion of Selectman Kern, it was voted unanimously to raise and appropriate the sum of \$40,000 to restore a Highway Department dump truck/sander.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-8. Road Grader Replacement

On motion of Selectman Kern, it was voted unanimously to raise and appropriate the sum of \$37,000 to replace the Highway Department's 62-year old road grader.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-9. Randall Library Building Repairs

On motion of Selectman Kern, it was voted unanimously to raise and appropriate the sum of \$100,000 for building repairs to the Randall Library.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-10. Lower Village Engineering Plans

On motion of Selectman Kern, it was voted unanimously to raise and appropriate the sum of \$43,334 for engineering plans for the Lower Village.

The Finance Committee and Capital Planning Committee were in favor.

ARTICLE 37-11. Crown Victoria Police Cruiser

On motion of Selectman Kern, it was voted in excess of a two-thirds majority, to raise and appropriate the sum of \$33,000 to purchase a 2011 Crown Victoria Police Cruiser.

The Finance Committee and Capital Planning Committee were in favor.

Deputy Moderator Elizabeth Painter assumed the gavel.

ARTICLE 38. Senior Tax Relief

On motion of Selectman James Salvie,, it was voted unanimously to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and further to act under the aforesaid statutes to increase by 100 percent the amount of property tax exemption granted to persons who qualify for said exemptions under clauses 17, 17C, 17D, 22, 22A, 22B, 22C, 22D, 22D, 22E, 37, 37A, 41, 41B and 41C of Section 5 of Chapter 59 of the Mass. General Laws and Acts and amendments thereof or additions thereto, for FY2012.

The Finance Committee was in favor.

ARTICLE 39. National Guard/Reserve Tax Relief

On motion of Selectman Laura Spear, it was voted unanimously to accept the provisions of Clause 56 of Massachusetts General Law Chapter 59, Section 5, whereby the Board of Assessors may grant real and personal property tax abatement up to 100 per cent of the total tax assessed to members of the Massachusetts National Guard and to reservists on active duty in foreign countries for the fiscal year they performed such service, subject to eligibility criteria to be established by the Board of Assessors, to be effective beginning in the fiscal year 2012.

The Finance Committee was in favor.

Moderator David Walrath returned to the podium.

ARTICLE 40. Zoning Map Amendment - Wireless Service Facility District

Selectman Stephen Dungan moved to amend the Zoning Bylaw by amending the existing Zoning Map of the Town of Stow including the map entitled "Wireless Service Facility District - Town of Stow, Massachusetts", dated January 23, 2001, as referenced and described in the Town of Stow Zoning Bylaw, including without limitation, in Section 2.3.11 and 5.3.5 to add and include the property now or formerly of Felix and Sandra A. Pittorino, Trustees of F&S Realty Trust, located at 215 Harvard Road, Assessors' Map R04, Lot 039A, also known as the Wedgewood Pines Country Club, and establish the same as part of the Wireless Service Facility District and to take any further action relative thereto.

Attorney Brian Grossman represented the petitioner, Star Tower Company. He said that cell phone usage has changed dramatically since the wireless overlay district was established. There are gaps in wireless service coverage. The petitioner is not asking for approval of a specific facility, only to allow the named property to be included within the wireless district. An application to the Planning Board would still be required for approval. This site would provide in-building coverage on a number of surrounding roads.

The Planning Board was not in favor of the amendment. Member Ernest Dodd noted that the petitioner had filed an application for variance with the Zoning Board of Appeals that was denied. As part of the hearing procedure, the services of a consultant were engaged, resulting in a recommendation that inclusion of this site in the overlay district was not necessary.

When put to a vote, the motion **did not carry with less than the required two-thirds vote.**

Report of the Planning Board on Article 40:

The Planning Board held a duly noticed public hearing on April 12, 2011 in the Stow Town Building to consider a petition to amend the Wireless Service Facility Overlay District Map to include property at 215 Harvard Road.

At its meeting of April 12, 2011, the Planning Board voted to recommend against adoption of Article 40 as sufficient alternatives are available within the existing Wireless Overlay District.

- The existing Wireless Service Overlay District, adopted at the February 2007 Town Meeting is the result of extensive research, study and efforts of the Wireless Bylaw Review Study Committee and the Planning Board, with extensive contributions by technical and legal consultants. The overlay district provides for wireless services in a manner that is least obtrusive to the residential neighborhoods of Stow and complies with the Telecommunications Act of 1996.
- A study was conducted by an independent consultant for the proposed location at 215 Harvard Road indicating that the existing overlay district has substantial potential for enabling the improvement of coverage in the northeast region of Stow.
- The Zoning Bylaw allows cell towers with a maximum height of thirty-five feet (35') in any district outside the overlay district. This provision allows for fill-in facilities as may be necessary.

ARTICLE 41. Preserve the Larsen Apple Storage Barn

It was voted by majority to take this article out of order and acted upon after **Article 6. General Budget.**

ARTICLE 42. Reuse of Pompositticut Elementary School

On motion of Selectman Thomas Ryan, it was voted unanimously, pursuant to Massachusetts General Laws Chapter 40, Section 15A, to authorize the transfer of the care, custody, management and control to the Board of Selectmen for use for any lawful municipal purpose, including but not limited to the rental or leasing of land and buildings for private use, the real property and buildings thereon known as the Pompositticut School Property, more particularly identified by Articles 2 and 3 of Special Town Meeting 1964 (October 26, 1964) and including approximately 18 acres of real property as identified on a plan entitled "Land in Stow, Mass. owned by William H. Peck and Eleanor L. Peck", Harlan E. Tuttle, surveyor, July 13, 1964 containing Lot 1 (6.658 acres) and Lot 2 (11.309 acres).

The Finance Committee was in favor.

ARTICLE 43. Nomination Papers Deadline

On motion of Selectman Charles Kern, it was voted unanimously to accept the provisions of Massachusetts General Law Chapter 53, Section 9A with respect to nomination papers as follows: The final date for obtaining blank nomination papers for nomination to a town office shall be forty-eight week day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification. Each candidate shall file with the town clerk, prior to obtaining blank nomination papers, a statement containing his/her name and address, and the town office for which he/she intends to be a candidate. No candidate for town office shall receive more blank nomination papers than will contain the number of signatures required to place his/her name in nomination, multiplied by five.

The Finance Committee was in favor.

ARTICLE 44. Revocable Agriculture Licenses

On motion of Selectman James Salvie, it was voted unanimously to permit the Stow Conservation Commission to grant revocable licenses at terms favorable to the town of Stow, not to exceed six (6) years without renewal, to use portions of Town-owned property under the care and custody of the Conservation Commission which were acquired for agriculture purposes and for agricultural uses consistent with the use and enjoyment of public conservation land, subject to all applicable laws.

The Finance Committee was in favor.

ARTICLE 45. Acceptance of Randall Road Sidewalk Easement

On motion of Selectman Laura Spear, it was voted unanimously to accept an easement over a portion of a parcel of land located off Randall Road, Stow, Massachusetts, said parcel as shown on a plan prepared by Zanca Land Surveying, Inc., dated January 22, 2004 for Stow Woodlands, LLC, which plan is recorded with the Middlesex South Registry of Deeds as Plan No. 1478 of 2004, said easement for and including the public's right to pass and re-pass over a 15-foot wide portion of land, as shown on the above noted plan.

The Finance Committee was in favor.

ARTICLE 46. Balance Fiscal Year 2012 Budget

On motion of Selectman Stephen Dungan, it was voted unanimously to **take no action** on this article.

ARTICLE 47. Town Election

On motion of Selectman Thomas Ryan, it was voted unanimously that the meeting be adjourned until the Annual Election on Tuesday, May 10, 2011, commencing at 7:00 a.m. at the Hale Middle School Gymnasium in said Town of Stow and then and there to act on Article 47 for such election of officers as listed in the warrant; and thereafter, at the close of the polls, to dissolve this meeting.

The meeting was adjourned at 11:07 p.m. to reconvene on May 10, 2010 at 7:00 a.m. for the Annual Election.

Checkers at the Door: Josephine Crowell, Robert Cutler, Carol Dudley, Elizabeth MacGilvra, Alice Mortenson, Betty Sauta

Tellers: Robert Aldape, Marjorie Alessio, Lynn Colletti, Alice Cushing, Laura Folsom, Serena Furman, Jayne Merrick, Joanne Newman, John O'Keefe, Quince Papanastassiou, Edward Perry, Jr., Marcia Rising, Kathleen Sferra, Dwight Sipler, Elizabeth Tobey, Pamela Weathers

Timekeeper: Catherine Desmond

Number of Voters Checked: 268

Number of Registered Voters: 4,687

Turnout Percentage: 6%